

of our country. Gerrymandering undermined the whole purpose of the program.

Another problem that the reforms addressed was that EB-5 investment levels had not been adjusted by Congress since 1990, and they should have been adjusted for the inflation that has taken place since then, and our act does make some adjustment in that area. It doesn't quite make up for all the inflation we have had since 1990, but it is still better than if we had gone with those 1990 figures.

The EB-5 Reform and Integrity Act of 2022, which was included in the Omnibus bill, will address a number of these issues. The bill, which Senator LEAHY and I primarily authored, formally repeals the pilot program created by Congress in 1992 and codifies in its place a new Regional Center Program reflecting a number of reforms that we pursued for many years. These reforms will help to crack down on fraud and abuse that have plagued the program for far too many years.

As I said in my previous statement, all EB-5 regional centers that had operated under the lapsed and repealed pilot program will be expected to seek a new regional center designation. In that process, they will have to certify compliance with all the relevant requirements and reforms laid out in our bill, now law, in order to receive such a designation.

Additionally, for the first time since 1990, the bill statutorily raises EB-5 investment levels and mandates that they be adjusted for inflation every 5 years so we don't have what has happened in the last 30 years using 1990 figures for investment.

The legislation also codifies certain aspects of the 2019 EB-5 Immigrant Investor Program modernization rule. Specifically, the bill codifies the 2019 rule's definition of a "high unemployment" targeted employment area and allows only the Department of Homeland Security to make such a designation.

The so-called "doughnut" targeted employment area model from the 2019 rule will significantly limit the number of census tracts that may be used to seek designation as a high unemployment area.

This targeted employment area model, combined with exclusive authority of the Department of Homeland Security to make "high unemployment" targeted employment area designations, should then crack down on the targeted employment area gerrymandering, which gerrymandering has long deprived the rural and the economically distressed areas of the investment that Congress intended when Congress passed that legislation—now, I guess, 30 years ago.

Listen to this next point. I want the Department of Homeland Security to pay attention to this. It is also my belief and expectation that the Department of Homeland Security should reserve "high unemployment" targeted

employment area designations for census tracts that have experienced persistently high unemployment for a number of years rather than just brief spikes in unemployment due to temporary and extraordinary circumstances, such as what you could have because of the COVID-19 pandemic, as just one example.

Finally, the legislation puts in place specific visa set-asides for rural area projects, high unemployment area projects, and infrastructure projects. The visa set-aside for infrastructure projects is limited to true public infrastructure projects; that is, in further explanation, those that benefit the public and the American people, not public-private partnerships or projects for private businesses.

I will continue to monitor the implementation of this bill, as well as developments in the EB-5 program over coming months and years.

This bill was titled the EB-5 Reform and Integrity Act of 2022. It is the result of years of hard work, and I hope it brings real reform to a program badly in need of that reform. I am grateful that it was included in the Omnibus bill and was happy, after all of these years, to see meaningful reform of the EB-5 program finally signed into law.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INFLATION

Mr. THUNE. Madam President, on Thursday, the February inflation numbers were released, and the news wasn't pretty. Inflation for February was 7.9 percent, the highest inflation since January of 1982—January of 1982, 40 years ago. We are in the grip of the worst inflation in 40 years.

American families have been hit hard by this crisis as the price of everyday necessities has soared, and energy prices, particularly gas prices, are one of the top challenges facing Americans. Energy prices are up 25 percent on average from a year ago. Electricity is up 9 percent. Propane, kerosene, and fire wood are up 19 percent. Utility gas services are up 23 percent, and prices at the pump for gasoline are up 38 percent.

The national average for a gallon of gas was \$4.31 on Tuesday, up from \$2.86 a year ago. That is \$1.45 more per gallon. That is a big problem for American families. That is a big problem for our entire economy.

High energy prices don't just have an impact when Americans fill up their cars; they affect prices across the economy. High energy prices drive up the cost of operating a factory. They drive up the cost of raw materials, and they

drive up the cost of getting goods to customers.

President Biden would like to blame the inflation situation, particularly high energy prices, on Vladimir Putin. I don't need to tell anyone how ludicrous that is. Our inflation crisis has been going on for a year. Vladimir Putin invaded Ukraine 3 weeks ago. I am afraid passing the buck to Putin doesn't hold water.

Now, it is true that the uncertainty surrounding Putin's war and corresponding sanctions on Russia are partly to blame for the most recent spike in gas prices. But had gas prices been lower to start with, Americans wouldn't be feeling the sanctions-triggered bump to the extent that they are.

Democrats' American Rescue Plan spending spree helped create our inflation crisis. Americans need to look no further than the White House when wondering how the United States, a recent net exporter of energy, is not on stronger footing to weather these tumultuous times.

The President has pursued an energy agenda that has done next to nothing to help drive energy prices down and is, in fact, almost guaranteed to increase energy prices long term and increase our reliance on foreign sources of oil.

From the moment he took office, the President sent a negative signal to energy producers by making it clear that his administration was not going to be embracing conventional energy production.

He set the tone for his administration on day 1 by canceling the Keystone XL Pipeline—an environmentally responsible pipeline project that was already underway and that was to be paired with \$1.7 billion in private investment and renewable energy to fully offset its operating emissions.

He also almost immediately froze new oil and gas leases on Federal lands, sending a clear signal to oil and gas producers that his administration would be reluctant to work with them to increase American energy production.

Now, President Biden has recently been touting the number of available permits for oil and gas development, which is positive as far as it goes, but new permits have dropped precipitously this year. And issuing permits alone isn't enough to get development going.

The Biden administration has thrown up roadblock after roadblock to actual energy development. Companies are struggling to break through regulatory redtape to actually get oil and gas development up and running. For example, they have struggled to obtain right of way to build essential development infrastructure, like access roads to oil rig sites. They are also struggling to get timely pipeline permits to transport the oil and gas that they extract.

Unfortunately, they know exactly how this administration feels about building pipelines. And the Biden administration is fully responsible for

these problems. The administration has the ability to immediately take action to expedite American oil and gas development by clearing away the red-tape that companies are facing.

It is refusing to do so. Instead, President Biden seems ready to increase our reliance on energy imports from despotic governments in volatile areas of the world. That is not acceptable. Energy independence, relying on home-grown production instead of foreign energy sources, is key for a number of reasons.

For starters, energy security is national security. The more we rely on imports from other countries, the more that we are dependent on those countries. We have seen that during the current conflict in Ukraine. European companies like Germany have been unable to divest from Russian energy because they rely on that production.

Without Russian energy, more than one country in Europe would face a dire energy shortage—as Putin is well aware. We don't want to give another country that much power over us.

Energy independence, and the robust energy production that comes with it, also reduces the risk to Americans from price hikes in the global market. The more oil and gas the United States produces as a share of the global market, the more we are able to influence global supply, which is the leading driver of cost.

The Biden administration has not been good for American energy independence. We have increased our reliance on foreign sources of energy during this administration, including our reliance on Russian energy production.

And now that we have banned Russian energy imports, President Biden seems ready to replace Russian energy, not with increased American production but with oil and gas from human rights-challenged countries like Venezuela.

I realize that President Biden and many Democrats would like to see the United States focus solely on alternative energy production, but the fact of the matter is that we are a long way from being able to rely exclusively on alternative energy technologies. Whether Democrats like it or not, our country is going to need oil and natural gas for quite a while yet, and all of Democrats' wishful thinking isn't going to change that.

The answer is not to get that oil and natural gas from despots in volatile areas of the world but to get it from American energy production.

President Biden and his administration may not be solely to blame for high gas prices, but they have the power. They have the power to help lower energy prices by unleashing American energy production—all of it, both alternative and conventional—and they are responsible for their failure to do so.

We need an “all of the above” energy policy that embraces everything from oil and gas to hydroelectric and nu-

clear, to solar and wind. And when it comes to alternative energy production, we need to invest in all proven clean energy technologies, not just the administration's preferred technologies like electric vehicles. The administration has neglected important clean energy technologies like biofuels, which have demonstrated significant emissions reductions versus conventional gasoline.

As a resident of a rural state, I would like to see the administration get serious about leveraging agriculture as an energy solution and work to expand biofuel production and consumption. This means not only setting robust blending targets and rejecting specious small refinery exemptions but approving advanced fuels from corn kernel fiber and restoring the year-round sale of E15.

Last week, I led a letter to the President with the Democratic whip and colleagues from both parties urging the President to enable E15 to be sold during the upcoming travel season to provide Americans with a lower cost fuel that would help displace Russian oil.

Yesterday, the President's Press Secretary said that “E15 was on the menu.” Well, it deserves real consideration. American drivers can't afford for the President not to take action. The President could get us on a path to lower energy prices today—today—by announcing that his administration will get serious about expediting American production of oil and natural gas. If he fails to do so, then he really will be responsible for the prices that Americans are facing at the pump and for the hit that our national security will take from our increasing reliance on foreign sources of energy.

I hope the President will decide to unleash American production and put our Nation on a path to long-term energy independence.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER (Ms. BALDWIN). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 682, Ruth Bermudez Montenegro, of California, to be United States District Judge for the Southern District of California.

Charles E. Schumer, Richard J. Durbin, Gary C. Peters, Edward J. Markey, Ben Ray Lujan, Martin Heinrich, Tammy Baldwin, Jacky Rosen, Jeff Merkley, Raphael G. Warnock, Michael F. Bennet, Tammy Duckworth, Angus S. King, Jr., Alex Padilla, Robert P. Casey, Jr., Margaret Wood Hassan, Patrick J. Leahy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Ruth Bermudez Montenegro, of California, to be United States District Judge for the Southern District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 84 Ex.]

YEAS—57

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	McConnell	Tillis
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murkowski	Warnock
Gillibrand	Murphy	Warren
Graham	Murray	Whitehouse
Grassley	Ossoff	Wyden
Hassan	Padilla	Young

NAYS—42

Barrasso	Ernst	Paul
Blackburn	Fischer	Portman
Blunt	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Toomey
Cruz	Marshall	Tuberville
Daines	Moran	Wicker

NOT VOTING—1

Shaheen

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 42.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Ruth Bermudez Montenegro, of California, to be United States District Judge for the Southern District of California.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 678, Victoria Marie Calvert, of Georgia, to be United